

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

GENERAL ELECTRIC CAPITAL
CORPORATION,

Plaintiff,

vs.

JAMES HAMMOND and
J. STEPHEN LEVKOFF,

Defendants.

C/A NO. 9:09-CV-00407-MBS

**CONSENT MOTION TO STAY
SCHEDULING ORDER**

Plaintiff General Electric Capital Corporation, by and through its undersigned attorneys, and pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, and Local Civil Rule 16.02 DSC, moves for an Order staying the Scheduling Order in the above matter for sixty (60) days from the date of such Order. The grounds for this Motion are:

1. Plaintiff and Defendant Hammond are negotiating a settlement agreement which, if finalized and consummated, would end the claims between Plaintiff and Hammond;
2. Settlement between Defendant Hammond and Plaintiff may affect Plaintiff's prosecution of the claims against Defendant Levkoff;
3. Requiring the parties to comply with the remaining deadlines set forth in the current Scheduling Order would divert the financial resources of the parties and negatively affect settlement negotiations; and
4. A stay of the Scheduling Order would promote economy and efficiency without prejudicing the parties.

Defendants James Hamond and J. Stephen Levkoff, by and through their undersigned attorneys, consent to the Motion and join in Plaintiff's request for a Stay.

WE SO MOVE:

s/ Bruce Wallace

Bruce Wallace Fed ID No. 7018

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GENERAL ELECTRIC CAPITAL

CORPORATION

January 7, 2010

WE CONSENT:

WE CONSENT:

s/ Barrett R. Brewer

Barrett R. Brewer

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JAMES HAMMOND